



## REQUEST FOR PLANNING COMMISSION ACTION

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**MEETING DATE:** March 27, 2023

**PREPARED BY:** Brett Angell, Assistant Community and Economic Development Director

**AGENDA ITEM:** Project Libre planned unit development concept stage plan, development stage plan, rezoning, preliminary plat, and final plat

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**PREVIOUS ACTIONS:**  
None

**Requested Action:** PUD concept stage plan, development stage plan, rezoning, preliminary plat, and final plat.

**Zoning:** FF (Freeway Frontage District)

**Adjacent Land**

**Use and Zoning:**

North: FF (Freeway Frontage District)  
East: FF (Freeway Frontage District)  
South: Interstate 694  
West: FF (Freeway Frontage District)

Applicant:	Opus Development Company LLC
Application received:	February 21, 2023
60 day review deadline:	April 22, 2023
Additional 60 day review deadline:	June 21, 2023
Address:	Northwest quadrant of Interstate 694 and State Highway 169

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**RECOMMENDED PLANNING COMMISSION ACTION:**

Motion to recommend that the City Council direct the City Attorney to draft a resolution and a Planned Unit Development agreement approving the Project Libre planned unit development concept stage plan, development stage plan, rezoning, preliminary plat, and final plat subject to:

1. The applicant addressing to the satisfaction of the city any remaining applicable comments contained in the memorandums from:
  - a. The Community & Economic Development Department dated March 2, 2023
  - b. The Engineering Department dated February 27, 2023
  - c. The Fire Department dated March 3, 2023
  - d. The Parks & Recreation Department, dated March 20, 2023

The applicant shall acknowledge that Park Dedication requirements are based on staff review and recommendation to the Park and Recreation Board and their subsequent board action. Board meetings are held on the third Thursday of each month.

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**COMMENTS:**

Opus Development, applicant, is seeking PUD concept stage plan, development stage plan, rezoning, preliminary plat, and final plat approval to accommodate a new 248,000 square foot build-to-suit, single tenant, corporate office. The proposed development is using the name Project Libre as the specific tenant's identity is not public at this point in time. The business currently projects to have approximately 500 employees at this location and would enter the city as a top five largest employer. The development is proposed for the undeveloped parcel of land located to the northwest of highway 169 and highway 694 convergence.

**Property information**

The proposed development property is 29.8 acres in size and is currently zoned as FF-Freeway Frontage, guided in the 2040 comprehensive plan as regional mixed use, and shown as multi-story office in the GMA South Master Plan preferred land use map. Adjacent uses to the property include industrial to the north, freeway to the east and south, and gravel mining to west. The proposed use is consistent with what is expected for the property to the west as that is redeveloped in the future.

As a part of this development proposal, the property would be rezoned from FF to PUD, as is consistent with the other areas of the GMA and recommended by staff.

**Development details**

The proposed development includes 248,000 gross square feet building that would feature office, research and development, and warehousing. The total building footprint is approximately 167,000 square feet. The building is situated so that an expansion of an additional 43,000 square feet could occur should the business need the space.

Parking for the business would be located on the south and western sides of the building and the primary access points to the property would come off of Kilmer Lane North and 73<sup>rd</sup> Place North. The construction of 73<sup>rd</sup> Place North would occur with this development. A trail

connection is also included along 73<sup>rd</sup> Place North with internal sidewalk connections from the trail to the building.

Stormwater basins are included on the northern portion of the property and are adequate to handle the stormwater needs of this development as well as the needs of 73<sup>rd</sup> Place North along the property.

### **Parking**

The proposed development includes 497 built parking spaces, 10 of which are accessible spaces. The development also includes an additional 210 stalls shown as proof of parking should additional spaces be required or should the building expand in the future. The proposed parking is based upon the business' total headcount of approximately 500 individuals. Based upon this development being build-to-suit and the additional proof of parking being provided, staff are comfortable with the proposed parking counts as provided.

### **Transportation improvements/changes**

Separate from the land use approvals, the current Kilmer Lane North right-of-way is proposed to be vacated at the north portion of the property lines per staff recommendation. The existing roadway would be converted into a private access/entrance for the business. The frontage road is also planned to be vacated by the developments occurring to the west.

A new roadway connection would be established running east west on the north portion of the property (currently utilizing 73<sup>rd</sup> Place North as the name). The proposed addition of the east west connection is consistent with the master plan and would serve a future connection to the developments to the west and to Revere Lane North. The right-of-way vacation has previously discussed allows for the entire right-of-way needed for 73<sup>rd</sup> Place North to come from the subject property by allowing the building to shift further to the south.

### **Traffic**

The proposed plans have been reviewed by the city's traffic operations engineer. The proposed development would project to have 360 trips occurring in the peak AM hour and 322 trips occurring in the peak PM hour. Traffic analysis was completed as part of the AUAR process and the proposed development is consistent with what was expected for this area. Additionally, the city is currently pursuing funding to improve the Elm Creek Boulevard North interchange with 169. Current estimates project this improvement to be funded by 2027 at the latest.

As previously mentioned, 73<sup>rd</sup> Place North will extend to the west with further connections which will allow for connections to Revere Lane North and Zachary Lane North. As the property to the west develops, the city intends to further examine traffic regionally for the full gravel mining area.

**Wetland area**

A wetland area on the northeast portion of the property will be maintained as part of the proposed development. A drainage and utility easement will be placed of the wetland for future maintenance needs. The 4.7 acres of impacts are occurring in areas of incidental wetlands. The developer has been working directly with the city, state, watershed district, and army corps of engineers related to these items.

**Landscaping**

Due to DNR requirements related to the northern long-eared bat, tree removal may take place in advance of approval of this development. The property owner and developer provided advanced notice regarding the tree removal and provided a full listing of the trees to be removed. The trees being removed are not within a T-zone.

The proposed development includes providing 107 new overstory trees, 107 ornamental trees, and additional shrubs and grasses. The proposed number of overstory trees meets the required number by City Code. Additionally, the proposed variety of trees meets the 20% genus maximum requirement.

**Architecture**

The proposed architecture includes a smooth painted precast, glazing, and brick front façade with curtain walls included at the entrance points. The front façade features the two-story office. Side and rear elevations include a mix of smooth painted concrete panels, exposed aggregate, and glazing. The building also includes a bump outs along the front portion of the building to break up the façade as well as a high-bay section to add to the vertical element of the building.

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**ATTACHMENTS:**

Attachment A: Narrative

Attachment B: Location map

Attachment C: Maps

Attachment D: Memorandums